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DUANE & SELTZER, LLP
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3 Berkeley, California 94704
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5 Attorney for Plaintiff
ORVILLE MEAUX
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8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10
11 ORVILLE MEAUX,

12 Plaintiff,
13
14 v.
15 NORTHWEST AIRLINES, INC., a Delaware
16 Corporation, PROFESSIONAL FLIGHT
ATTENDANTS ASSOCIATION, a labor
organization, TRANSPORT WORKERS
17 UNION, a labor organization, ASSOCIATION
OF FLIGHT ATTENDANTS-
COMMUNICATIONS WORKERS OF
18 AMERICA, a labor organization, and DOES 1
to 20, inclusive,
19
Defendants.

Case No. C 04-04444 CW

(Consolidated with
Case No. C09-02447 CW)

STIPULATED DISMISSAL
WITH PREJUDICE AS TO
PLAINTIFF'S REMAINING
CLAIMS AGAINST
DEFENDANT NORTHWEST
and
~~(Proposed)~~ ORDER

20 _____ /
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22 WHEREAS, on or about November 10, 2009, Defendant Northwest Airlines, Inc. filed a
23 motion for summary judgment as to Plaintiff's claims against Northwest for discrimination and
24 retaliation with respect to a Level 1 Reminder and Plaintiff's termination, his harassment claim
25 under FEHA and Title VII, and his claim for discrimination as to the issuance of a Level I
Reminder and punitive damages;

26 WHEREAS, on or about December 3, 2009, Plaintiff Orville Meaux filed opposition to
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1 Defendant Northwest's motion to which Defendant Northwest filed a reply on December 17,
2 2009;

3 WHEREAS, on or about February 18, 2010, the Court entered an Order granting
4 Defendant's motion for summary judgment in part and denying it in part. Summary judgment
5 was granted as to Plaintiff's claims for discrimination and retaliation relating to his termination
6 by Northwest. Summary judgment was also granted as to Plaintiff's harassment claim under
7 FEHA and Title VII. Summary judgment was also granted as to Plaintiff's retaliation claim
8 relating to the issuance of the Level I Reminder. Plaintiff's remaining pending claim against
9 Defendant Northwest, as to which the Court denied Defendant's motion for summary judgment,
10 is his discrimination claim relating to the issuance of a Level 1 Reminder;

11 WHEREAS, Plaintiff now seeks to voluntarily dismiss his remaining pending claim
12 against Defendant Northwest as to which the summary judgment was denied;

13 WHEREAS, Plaintiff's hybrid action [U.S.D.C. Case No. C09-02447 CW] for wrongful
14 termination of employment and breach of the duty of fair representation was earlier dismissed by
15 the Court's Order as to Defendant Northwest on Defendant Northwest's motion under Rule 12(b)
16 and consolidated with this action;

17 WHEREAS, Plaintiff's voluntary dismissal with prejudice of the remaining pending
18 claim against Defendant Northwest does not preclude his right to pursue an appeal on the Court's
19 ruling granting Northwest's motion for summary judgment in part. Plaintiff specifically
20 preserves his right to appeal from the Court's Order granting Defendant Northwest's motion for
21 summary judgment;

22 WHEREAS, Plaintiff's voluntary dismissal with prejudice does not preclude Plaintiff's
23 right to pursue his appeal of the Court's Order granting Defendant Northwest's 12(b) motion and
24 dismissing the hybrid action which was consolidated with this action. Plaintiff specifically
25 preserves his right to continue to pursue his appeal [U.S.C.A. Docket No. 09-17560] from the
26 Court's Order dismissing the hybrid action;

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1 THE PARTIES HEREBY STIPULATE that Plaintiff's remaining pending claim against
2 Defendant Northwest Airlines, specifically Plaintiff's claim for discrimination relating to the
3 issuance of a Level I Reminder, is dismissed with prejudice.

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5 DUANE & SELTZER, LLP

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7 Dated: February ___, 2010

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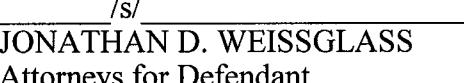
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13 /s/ 
RICHARD DUANE
Attorneys for Plaintiff
ORVILLE MEAUX

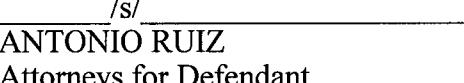
Dated: February ___, 2010 OGLETREE, DEAKINS et al.

13 /s/ 
LINDA S. GOLDMAN
Attorneys for Defendant
NORTHWEST AIRLINES, INC.

Dated: February ___, 2010 ALTSHULER BERZON, LLP

13 /s/ 
JONATHAN D. WEISSGLASS
Attorneys for Defendant
TRANSPORT WORKERS UNION

Dated: February ___, 2010 WEINBERG, ROGER & ROSEFELD, APC

13 /s/ 
ANTONIO RUIZ
Attorneys for Defendant
ASSOCIATION OF FLIGHT ATTENDANTS -
COMMUNICATIONS WORKERS OF
AMERICA, AFL-CIO

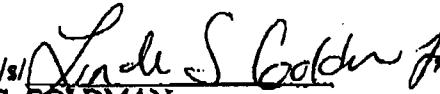
1 THE PARTIES HEREBY STIPULATE that Plaintiff's remaining pending claim against
2 Defendant Northwest Airlines, specifically Plaintiff's claim for discrimination relating to the
3 issuance of a Level I Reminder, is dismissed with prejudice.
4

5 DUANE & SELTZER, LLP

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7 Dated: February ___, 2010
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10 Dated: February 24, 2010
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16 Dated: February ___, 2010
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21 Dated: February ___, 2010
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/s/
RICHARD DUANE
Attorneys for Plaintiff
ORVILLE MEAUX

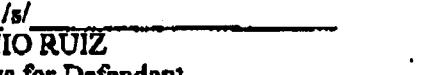
OGLETREE, DEAKINS et al.


/s/
LINDA S. GOLDMAN
Attorneys for Defendant
NORTHWEST AIRLINES, INC.

ALTSHULER BERZON, LLP


/s/
JONATHAN D. WEISSGLASS
Attorneys for Defendant
TRANSPORT WORKERS UNION

WEINBERG, ROGER & ROSEFIELD, APC


/s/
ANTONIO RUIZ
Attorneys for Defendant
ASSOCIATION OF FLIGHT ATTENDANTS -
COMMUNICATIONS WORKERS OF
AMERICA, AFL-CIO

1 THE PARTIES HEREBY STIPULATE that Plaintiff's remaining pending claim against
2 Defendant Northwest Airlines, specifically Plaintiff's claim for discrimination relating to the
3 issuance of a Level I Reminder, is dismissed with prejudice.

4

5 DUANE & SELTZER, LLP

6

7 Dated: February ___, 2010

/s/
RICHARD DUANE
Attorneys for Plaintiff
ORVILLE MEAUX

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10

11

Dated: February ___, 2010

OGLETREE, DEAKINS et al.

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Dated: February 24, 2010

/s/
LINDA S. GOLDMAN
Attorneys for Defendant
NORTHWEST AIRLINES, INC.

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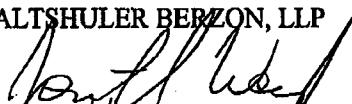
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Dated: February ___, 2010

ALTSHULER BERZON, LLP


/s/
JONATHAN D. WEISSGLASS
Attorneys for Defendant
TRANSPORT WORKERS UNION

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WEINBERG, ROGER & ROSEFELD, APC

/s/
ANTONIO RUIZ
Attorneys for Defendant
ASSOCIATION OF FLIGHT ATTENDANTS -
COMMUNICATIONS WORKERS OF
AMERICA, AFL-CIO

-3-

Case No. C 04-04444 CW
STIPULATED DISMISSAL WITH PREJUDICE

1 DUANE & SELTZER, LLP
2

3 Dated: February ___, 2010

4 RICHARD DUANE
5 Attorneys for Plaintiff
6 ORVILLE MEAUX
7

8 Dated: February ___, 2010

9 OGLETREE, DEAKINS et al.
10

11 LINDA S. GOLDMAN
12 Attorneys for Defendant
13 NORTHWEST AIRLINES, INC.
14

15 Dated: February ___, 2010

16 ALTSHULER BERZON, LLP
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18 JONATHAN D. WEISSGLASS
19 Attorneys for Defendant
20 TRANSPORT WORKERS UNION
21

22 Dated: February ___, 2010

23 WEINBERG, ROGER & ROSEFELD, APC
24

25 
26 ANTONIO RUIZ
27 Attorneys for Defendant
28 ASSOCIATION OF FLIGHT ATTENDANTS -
COMMUNICATIONS WORKERS OF
AMERICA, AFL-CIO

24 **ORDER**

25 IT IS SO ORDERED that the parties through their designated counsel, have agreed to
26 dismiss with prejudice, Defendants Transport Workers Union and Association of Flight
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28

1
2 ORDER
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4 IT IS SO ORDERED that the parties through their designated counsel, have agreed to
5 dismiss with prejudice, Plaintiff's remaining claim against Defendant Northwest as to which the
6 Court denied summary judgment, specifically, Plaintiff's claim for discrimination relating to the
7 Level I Reminder, pursuant to F.R.C.P. Rule 41(a)(2). There are no remaining claims against
8 Northwest in this action.
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10 Dated: _____
11 3/2/10
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13 By: _____
14 Hon. Claudia Wilken
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